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CENTRAL FAX CENTER**OCT 20 2005****FAX TRANSMITTAL**

 ADVANCED BIONICS 25129 Rye Canyon Road Valencia, California 91355	To: U.S. Patent & Trademark Office Examiner Huyen D. Le; Art Unit 2646	Certificate of Transmission
	Fax: (571) 273-8300 From: Philip H. Lee (661) 362-1964 (phone) (661) 362-1507 (fax) Date: October 20, 2005 Pages: Six (6) including this Fax Cover Page Re: Office Action for S/N 10/823,962, filed April 14, 2004; Attorney Docket No.: AB-238U2	I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (571) 273-8300 on this date: <u>October 20, 2005</u> <u>Philip H. Lee</u> Name <i>Philip H. Lee</i> 10/20/05 Signature Date

MESSAGE:

Please find attached:

- A Response to the Restriction Requirement mailed September 7, 2005 for Application Serial Number 10/823,962 with a Request for One-Month Extension. (5 pages)

Thank you.

Philip H. Lee
Philip H. Lee
Reg. No. 50,645☒ Please Acknowledge Receipt of This Communication.**RECEIVED**
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10/24/2005 HGBREM1 00000022 500648 10823962

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Docket No.: AB-238U2

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CENTRAL FAX CENTER****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****OCT 20 2005**

Appl. No.: 10/823,962
Conf. No.: 5441

Applicants: Harrison, et al.
Filed: April 14, 2004
TC/A.U.: 2646
Examiner: Huyen D. Le

Title: In the Ear Auxilliary Microphone for
Behind the Ear Hearing Prosthetic

Docket No.: AB-238U2
Customer No.: 23845

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October 20, 2005

Philip H. Lee
Name

Philip H. Lee 10/20/05
Signature Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement

Dear Examiner:

In response to the Restriction Requirement mailed September 7, 2005,
Applicants elect the invention set forth in Group I, Claims 1-7. Applicants reserve the
right to pursue the subject matter of Group II, Claims 8-13, and Group III, Claims 14-20.

A one-month extension of time is requested, setting the extended due date to
November 7, 2005.

Amendments to the Claims begin on page 2 of this paper.

Remarks begins on page 5 of this paper.